

for purposes of section 30111 of title 49, United States Code; and

(II) requiring a different period for a type of motor vehicle is consistent with the prevention of carbon monoxide poisoning.

(2) DEADLINE.—The rule under paragraph (1) shall become effective not later than 2 years after the date on which the Secretary issues such rule.

(C) PREVENTING MOTOR VEHICLES FROM ROLLING AWAY.—

(1) REQUIREMENT.—Not later than 2 years after the date of enactment of this Act, the Secretary shall issue a final rule amending part 571 of title 49, Code of Federal Regulations, to require manufacturers to install technology to prevent movement of motor vehicles equipped with keyless ignition devices and automatic transmissions if—

(A) the transmission of the motor vehicle is not in the park setting;

(B) the motor vehicle does not exceed the speed determined by the Secretary under paragraph (2);

(C) the seat belt of the operator of the motor vehicle is unbuckled;

(D) the service brake of the motor vehicle is not engaged; and

(E) the door for the operator of the motor vehicle is open.

(2) DETERMINATION.—The Secretary shall determine the maximum speed at which a motor vehicle may be safely locked in place under the conditions described in subparagraphs (A), (C), (D), and (E) of paragraph (1) to prevent motor vehicle rollaways.

(3) DEADLINE.—The rule under paragraph (1) shall become effective not later than 2 years after the date on which the Secretary issues the rule.

SA 2214. Mr. BLUMENTHAL (for himself and Mr. MARKEY) submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 24222 and insert the following:

SEC. 24222. SAFETY WARNING FOR OCCUPANTS OF HOT CARS.

(a) OCCUPANT SAFETY.—

(1) IN GENERAL.—Subchapter II of chapter 301 of title 49, United States Code (as amended by section 24208(a)), is amended by adding at the end the following:

“§ 30130. Occupant safety

“(a) DEFINITIONS.—In this section:

“(1) PASSENGER MOTOR VEHICLE.—The term ‘passenger motor vehicle’ has the meaning given the term in section 32101.

“(2) SECRETARY.—The term ‘Secretary’ means the Secretary of Transportation.

“(b) RULEMAKING.—Not later than 2 years after the date of enactment of this section, the Secretary shall issue a final rule prescribing a motor vehicle safety standard that requires all new passenger motor vehicles with a gross vehicle weight rating of 10,000 pounds or less to be equipped with a system that—

“(1) detects the presence of an unattended occupant in the passenger compartment of the vehicle; and

“(2) engages a warning to reduce death and injury resulting from vehicular heatstroke, particularly incidents involving children.

“(c) LIMITATION ON CAPABILITY OF BEING DISABLED.—The motor vehicle safety standard prescribed under subsection (b) shall require that the system described in that subsection cannot be disabled, overridden, reset, or recalibrated in such a way that the system will no longer detect the presence of an unattended occupant in the passenger compartment of the vehicle and engage a warning.

“(d) MEANS.—

“(1) IN GENERAL.—The warning required under the motor vehicle safety standard prescribed under subsection (b) shall include a distinct auditory and visual warning to notify individuals inside and outside of the passenger motor vehicle of the presence of an unattended occupant, which shall be combined with an interior haptic warning.

“(2) CONSIDERATION.—In developing the warning referred to in paragraph (1), the Secretary shall also consider including a secondary additional warning—

“(A) to notify—

“(i) operators that are not in close proximity to the vehicle; and

“(ii) emergency responders; and

“(B) to provide the geographical location of the passenger motor vehicle in a manner that allows for an emergency response.

“(e) COMPLIANCE DEADLINE.—The rule issued pursuant to subsection (b) shall require full compliance with the motor vehicle safety standard prescribed in the rule not later than 2 years after the date on which the final rule is issued.”.

(2) CLERICAL AMENDMENT.—The analysis for subchapter II of chapter 301 of title 49, United States Code (as amended by section 24208(b)), is amended by adding at the end the following:

“30130. Occupant safety.”.

(b) STUDY.—

(1) DEFINITIONS.—In this subsection:

(A) CHILD RESTRAINT SYSTEM.—The term “child restraint system” has the meaning given the term in section 571.213 of title 49, Code of Federal Regulations (or a successor regulation).

(B) INDEPENDENT THIRD PARTY.—The term “independent third party” means a person that does not receive any direct financial assistance from a manufacturer (as defined in section 30102(a) of title 49, United States Code), that produces or supplies—

(i) equipment for the systems mandated in section 30130 of title 49, United States Code (as added by subsection (a)(1)); or

(ii) child restraint systems.

(C) PASSENGER MOTOR VEHICLE.—The term “passenger motor vehicle” has the meaning given the term in section 32101 of title 49, United States Code.

(2) INDEPENDENT STUDY.—

(A) CONTRACT.—Not later than 90 days after the date on which a final rule is issued pursuant to section 30130(b) of title 49, United States Code (as added by subsection (a)(1)), and every 2 years thereafter, the Secretary shall enter into a contract with an independent third party to conduct the study described under subparagraph (B).

(B) STUDY.—

(i) IN GENERAL.—Under the contract between the Secretary and an independent third party under subparagraph (A), the independent third party shall carry out a study on retrofitting passenger motor vehicles introduced into interstate commerce before the effective date of the rule required pursuant to section 30130(b) of title 49, United States Code (as added by subsection (a)(1)), with technologies and products that meet the safety need addressed by the motor vehicle safety standard prescribed under that section.

(ii) ELEMENTS.—In carrying out the study required under clause (i), the independent third party shall—

(I) identify technologies and products—

(aa) manufactured for use in passenger motor vehicles introduced into interstate commerce before the effective date of the rule required by section 30130(b) of title 49, United States Code (as added by subsection (a)(1)); and

(bb) that reduce death and injury resulting from vehicular heatstroke, particularly incidents involving children; and

(II) make recommendations for manufacturers of such technologies and products to undergo a functional safety performance assessment to ensure that the technologies and products perform as designed by the manufacturer under a variety of real-world conditions.

(3) PUBLICATION; PUBLIC COMMENT.—Not later than 2 years after the date on which the Secretary enters into a contract under paragraph (2)(A), and every 2 years thereafter, the Secretary shall—

(A) publish the results of the study required under paragraph (2)(B) in the Federal Register; and

(B) provide a period for public comment of not longer than 90 days after the date on which the results of the study are published pursuant to subparagraph (A).

(4) CONSUMER INFORMATION.—Not later than 120 days after expiration of the public comment period described under paragraph (2)(B) and on review of the public comments, the Secretary shall provide information for consumers through the website of the National Highway Traffic Safety Administration on the performance of the technologies and products described in paragraph (2)(B)(i) to retrofit existing passenger motor vehicles.

(5) SUBMISSION TO CONGRESS.—On issuance of the recommendations required under paragraph (2)(B)(ii)(II), the Secretary shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Energy and Commerce of the House of Representatives the study and recommendations required by paragraph (2)(B)(ii)(II), including any public comment received under paragraph (3)(B).

SA 2215. Mr. THUNE (for himself and Mrs. BLACKBURN) submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 90008 and insert the following:

SEC. 90008. 3.1-3.45 GHZ BAND.

(a) IDENTIFICATION AND AUCTION.—The Federal Communications Commission (referred to in this section as the “Commission”), in consultation with the Assistant Secretary of Commerce for Communications and Information, shall—

(1) not later than December 31, 2022, identify 350 megahertz of electromagnetic spectrum in the frequencies between 3100 and 3450 megahertz to be made available for shared Federal and non-Federal commercial licensed use, subject to flexible-use service rules that are consistent with the rules for the band of frequencies between 3450 and 3550 megahertz established in the Second Report and Order in the matter of Facilitating

Shared Use in the 3100-3550 MHz Band adopted by the Commission on March 17, 2021 (FCC 21-32; WT Docket No. 19-348) that permit full-power commercial licensed use of that band; and

(2) not earlier than November 30, 2024, and not later than 10 years after the date of enactment of this Act, complete a system of competitive bidding under section 309(j) of the Communications Act of 1934 (47 U.S.C. 309(j)) to grant new licenses for the spectrum identified under paragraph (1) of this subsection.

(b) **TIMING OF AUCTION.**—Notwithstanding section 309(j)(7) of the Communications Act of 1934 (47 U.S.C. 309(j)(7)), the Commission shall conduct the system of competitive bidding required under subsection (a)(2) of this section at a time during the period described in that subsection that will maximize the proceeds generated by the system of competitive bidding.

(c) **CLEARING OF SPECTRUM.**—Not later than 1 year after the date on which the system of competitive bidding required under subsection (a)(2) is completed, the President shall withdraw or modify any assignment to a Federal Government station of the frequencies identified under subsection (a)(1) in order to accommodate shared Federal and non-Federal commercial licensed use in accordance with subsection (a)(1).

(d) **FCC AUCTION AUTHORITY.**—Section 309(j)(11) of the Communications Act of 1934 (47 U.S.C. 309(j)(11)) is amended by inserting after “2025” the following: “, and with respect to the electromagnetic spectrum identified under section 90008(a)(1) of the Infrastructure Investment and Jobs Act, such authority shall expire on the date that is 10 years after the date of enactment of that Act”.

SA 2216. Mr. THUNE submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 60102 and insert the following:

SEC. 60102. RURAL CONNECTIVITY ADVANCEMENT PROGRAM.

(a) **SHORT TITLE.**—This section may be cited as the “Rural Connectivity Advancement Program Act of 2021”.

(b) **DEPOSIT OF SPECTRUM AUCTION PROCEEDS IN RURAL BROADBAND ASSESSMENT AND DEPLOYMENT FUND.**—Section 309(j)(8) of the Communications Act of 1934 (47 U.S.C. 309(j)(8)) is amended—

(1) in subparagraph (A), by striking “and (G)” and inserting “(G), and (H)”;

(2) by adding at the end the following:

“(H) **CERTAIN PROCEEDS DESIGNATED FOR RURAL BROADBAND ASSESSMENT AND DEPLOYMENT FUND.**—

“(i) **ASSESSMENT AND DEPLOYMENT SET-ASIDE.**—Notwithstanding subparagraph (A), and except as provided in subparagraphs (B), (D), (E), (F), and (G), 10 percent of the net proceeds from each use of a system of competitive bidding under this subsection that is mandated by an Act of Congress and that begins on or after the date of enactment of the Rural Connectivity Advancement Program Act of 2021 shall be deposited in the Rural Broadband Assessment and Deployment Fund established under subsection (c) of that Act.

“(ii) **DEFINITION.**—For purposes of this subparagraph, the term “net proceeds”, with respect to the use of a system of competitive bidding, means the proceeds remaining after subtracting all auction-related expenditures, including—

“(I) relocation payments, including accelerated relocation payments;

“(II) payments to incumbent licensees for the relinquishment of all or a portion of the spectrum usage rights of those licensees;

“(III) costs associated with the reallocation of spectrum, whether on an exclusive or shared use basis;

“(IV) relocation or sharing costs, including for planning for relocation or sharing; and

“(V) bidding credits.”.

(c) **DIRECTION AND USE OF RURAL BROADBAND ASSESSMENT AND DEPLOYMENT FUND PROCEEDS.**—

(1) **DEFINITIONS.**—In this subsection—

(A) the term “Commission” means the Federal Communications Commission;

(B) the term “high-cost programs” means—

(i) the program for Universal Service Support for High-Cost Areas set forth under subpart D of part 54 of title 47, Code of Federal Regulations, or any successor regulations;

(ii) the Rural Digital Opportunity Fund set forth under subpart J of part 54 of title 47, Code of Federal Regulations, or any successor regulations;

(iii) the Interstate Common Line Support Mechanism for Rate-of-Return Carriers set forth under subpart K of part 54 of title 47, Code of Federal Regulations, or any successor regulations;

(iv) the Mobility Fund set forth under subpart L of part 54 of title 47, Code of Federal Regulations, or any successor regulations;

(v) the High Cost Loop Support for Rate-of-Return Carriers program set forth under subpart M of part 54 of title 47, Code of Federal Regulations, or any successor regulations;

(vi) the Uniendo a Puerto Rico Fund and the Connect USVI Fund set forth under subpart O of part 54 of title 47, Code of Federal Regulations, or any successor regulations; and

(vii) the Rural Broadband Experiments, as established by the Commission under part 54 of title 47, Code of Federal Regulations;

(C) the term “net proceeds” has the meaning given the term in subparagraph (H) of section 309(j)(8) of the Communications Act of 1934 (47 U.S.C. 309(j)(8)), as added by subsection (b); and

(D) the term “Rural Broadband Assessment and Deployment Fund” means the fund established under paragraph (2).

(2) **ESTABLISHMENT OF FUND.**—There is established in the Treasury of the United States a fund to be known as the “Rural Broadband Assessment and Deployment Fund”.

(3) **BORROWING AUTHORITY.**—

(A) **IN GENERAL.**—With respect to any auction described in subparagraph (H)(i) of section 309(j)(8) of the Communications Act of 1934 (47 U.S.C. 309(j)(8)), as added by subsection (b), on or after the date on which the Commission makes a final determination of the amount of net proceeds that will be deposited in the Rural Broadband Assessment and Deployment Fund under such subparagraph (H)(i) as a result of that auction, the Commission may borrow not more than that amount from the Treasury of the United States.

(B) **REIMBURSEMENT.**—The Commission shall reimburse the general fund of the Treasury, without interest, for any amounts borrowed under subparagraph (A) as funds are deposited into the Rural Broadband Assessment and Deployment Fund.

(4) **AVAILABILITY OF AMOUNTS.**—Any amounts borrowed under paragraph (3)(A)

and any amounts in the Rural Broadband Assessment and Deployment Fund that are not necessary for reimbursement of the general fund of the Treasury for such borrowed amounts shall be available to the Commission for use in accordance with paragraph (5).

(5) **USE OF AMOUNTS.**—

(A) **ESTABLISHMENT OF PROGRAM OR PROGRAMS.**—The Commission shall use the amounts made available under paragraph (4) to establish 1 or more programs that are separate from, but are coordinated with and complement, the high-cost programs to address—

(i) gaps that remain in broadband internet access service coverage in high-cost rural areas despite the operations of the high-cost programs; and

(ii) shortfalls in sufficient funding of the high-cost programs that could adversely affect the sustainability of services or reasonable comparability of rates that are supported by those programs.

(B) **PURPOSES.**—In carrying out subparagraph (A), the Commission shall use amounts made available under paragraph (4) in an efficient and cost-effective manner only—

(i) for the assessment of, and to provide subsidies in a technology-neutral manner through a competitive process (subject to weighting preferences for performance quality and other service metrics as the Commission may find appropriate) to providers for support of, deployment of broadband-capable infrastructure in high-cost rural areas that the Commission determines are unserved by fixed terrestrial broadband internet access service at a download speed of not less than 25 megabits per second and an upload speed of not less than 3 megabits per second (or such higher speed as the Commission may determine appropriate based upon an evolving definition of universal service); and

(ii) to assess, and provide subsidies to providers to enable providers to sustain, broadband internet access service in any rural area in which—

(I) not more than 1 provider of fixed terrestrial broadband internet access service operates; and

(II) the high-cost nature of the area precludes the offering of voice service and broadband internet access service at rates and performance levels available in urban areas as determined by the Urban Rate Survey conducted by the Commission.

(C) **TRIBAL CONSIDERATIONS.**—In distributing amounts under this paragraph, the Commission shall consider the broadband internet access service needs of residents of Tribal lands (as defined in section 54.400 of title 47, Code of Federal Regulations, or any successor regulation).

(D) **LIMITATIONS.**—

(i) **PROHIBITION ON FUNDING OTHER PROGRAMS.**—

(I) **IN GENERAL.**—The Commission may not use amounts made available under paragraph (4) to fund any program that was not established by the Commission under subparagraph (A) of this paragraph, including any program established under section 254 of the Communications Act of 1934 (47 U.S.C. 254) in effect on the date of enactment of this Act, except for using the Universal Service Administrative Company to administer funding.

(II) **RULE OF CONSTRUCTION.**—Nothing in subclause (I) shall be construed to prohibit the Commission from using amounts made available under paragraph (4) to supplement the provision of support under the high-cost programs, as authorized under subparagraph (A)(ii) of this paragraph.